

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 30th day of August, two thousand twenty-four.

Present:

Dennis Jacobs,
Gerard E. Lynch,
Eunice C. Lee,
Circuit Judges.

Ivan Antonyuk, et al.,

Plaintiffs-Appellees,

v.

Docket Nos. 22-2908(L), 22-2972(Con)

Steven G. James, in his official capacity as Superintendent of the New York State Police, et al.,

Defendants-Appellants.

Jimmie Hardaway, et al.,

Plaintiffs-Appellees,

v.

Docket No. 22-2933

Steven G. James, in his official capacity as Superintendent of the New York State Police,

Defendant-Appellant,

v.

Brian D. Seaman, in his official capacity as the District Attorney for the County of Niagara, New York, et al.,

Defendants-Appellees.

Brett Christian, Firearms Policy Coalition, Inc.,
Second Amendment Foundation, Inc.,

Plaintiffs-Appellees,

v.

Docket No. 22-2987

Steven G. James, in his official capacity as
Superintendent of the New York State Police,

Defendant-Appellant,

v.

Michael J. Kean, in his official capacity of Acting
District Attorney for the County of Erie, New York,

Defendant-Appellee.

Michael Spencer, His Tabernacle Family Church,
Inc.,

Plaintiffs-Appellees,

v.

Docket No. 22-3237

Steven G. James, in his official capacity as
Superintendent of the New York State Police, et al.,

Defendants-Appellants.

Following the Supreme Court's grant of the petition for writ of certiorari and vacatur of the prior judgment in this case, this Court issued orders on August 7, 2024, in each of the above-captioned cases recalling the mandate, reinstating the appeals, and directing the parties to submit supplemental briefing. Thereafter, in the cases of *Hardaway v. James* (No. 22-2933); *Christian v. James* (No. 22-2987); and *Spencer v. James* (No. 22-3237), the parties jointly requested that this Court vacate these orders and re-issue the mandate in each case. See *Hardaway*, No. 22-2933, Dkt. 202; *Christian*, No. 22-2987, Dkt. 186; *Spencer*, No. 22-3237, Dkt. 125.

Upon due consideration, it is hereby ORDERED that the August 7, 2024 orders recalling the mandates in *Hardaway v. James* (No. 22-2933); *Christian v. James* (No. 22-2987); and *Spencer v. James* (No. 22-3237), and directing the parties to submit supplemental briefing is VACATED, and the mandate in each of those three cases is REINSTATED. As only the Plaintiffs-Appellees in *Antonyuk v. James* (No. 22-2908) petitioned for and were granted a writ of certiorari, the Supreme Court's August 5, 2024 judgment must be reasonably construed as limited to the parties in that case, and did not require the recall of the mandates in *Hardaway*, *Christian*, and *Spencer*. Accordingly, the August 7, 2024 orders in *Antonyuk* remain in effect.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court


Catherine O'Hagan Wolfe



A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


Catherine O'Hagan Wolfe

